

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

**DOLLY E. FEREBEE,**

Plaintiff,

v.,

**NYCOLE MACKLIN, et al.,**

Defendants.

Civil Action No. 22-1155-KBH

**Order**

The court grant's Dolly Ferebee's motion to file a sur-reply brief in opposition to the City of Philadelphia's motion to dismiss count II of plaintiff's third amended complaint. The Clerk's office is directed to docket plaintiff's sur-reply brief that is attached to plaintiff's motion as Exhibit "A."

BY THE COURT:

KELLEY B. HODGE, J.

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

**DOLLY E. FEREBEE,**

Plaintiff,

v.,

**NYCOLE MACKLIN, et al.,**

Defendants.

Civil Action No. 22-1155-KBH

**Dolly Ferebee's Motion for Leave to File a Sur-Reply  
Brief in Opposition to the City of Philadelphia's Motions To  
Dismiss Count II of the Third Amended Complaint**

Dolly Ferebee moves for leave to file a sur-reply brief in opposition to the City of Philadelphia's motion to dismiss count II of plaintiff's third amended complaint and avers:

1. Attached as Exhibit "A" is Dolly Ferebee's proposed sur-reply brief.
2. The brief is less than three full pages long.
3. The brief addresses assertions made by the City of Philadelphia in its reply brief including (1) the statement that hearing officers can consider the amount of a car owner's indebtedness in an expedited post deprivation hearing under the Philadelphia Code, and (2) the assertion that the amount of a bond can be less than the sum of a car owner's alleged debt.
4. The brief should assist the court to better assess both Ms. Ferebee's arguments and the City's arguments.

WHEREFORE, plaintiff's urges the court to exercise its discretion to accept her sur-reply brief together with any other relief that is just and appropriate.

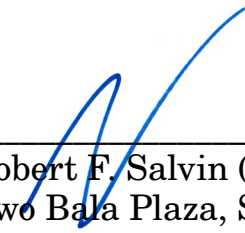
Respectfully submitted,

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### **Certificate of Services**

I, Robert F. Salvin, certify that the foregoing document will be served on opposing parties through the court's ECF system, or I will serve it by regular mail, postage prepaid at the listed address of defendants' counsel.



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